

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

DALE D. WHITE

Plaintiff,

vs.

JOHN G. PAPPAS and
VITRACOAT AMERICA, INC.

Defendants.

Case No. 22-cv-1607

NOTICE OF FILING

TO: Attorney for Plaintiff
Mark A. Byrd
308 West State Street, Suite 450
Rockford, IL 61101
Ph: (815) 965-5492
byrdlaw@comcast.net

PLEASE TAKE NOTICE that on **Tuesday, March 29, 2022**, there was sent to be filed with the Clerk of the United States District Court Northern District of Illinois, **Defendant John G. Pappas' Petition for Removal to Federal Court**, a copy of which is served upon you.



**THE CINCINNATI INSURANCE COMPANY
STAFF DEFENSE**

Attorneys for Defendants
10 S. LaSalle Street, Suite 3310
Chicago, IL 60603
(312) 281-7040

PROOF OF SERVICE BY ELECTRONIC MAIL

I, a non-attorney, certify that I served this notice by sending a copy by e-mail to all attorneys of record on **March 29, 2022**.

[X] Under penalties as provided by law pursuant to ILCS
SEC 5/1-109 I certify that the statements set forth
herein are true and correct.



Christina Larcher

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DALE D. WHITE

Plaintiff,

VS.

Case No. 22-cv-1607

JOHN G. PAPPAS and
VITRACOAT AMERICA, INC.

Defendants.

DEFENDANT JOHN G. PAPPAS' PETITION FOR REMOVAL TO FEDERAL COURT

NOW COMES Defendant, JOHN G. PAPPAS (“PAPPAS”) by and through his attorneys,
The Cincinnati Insurance Company Staff Defense, and for its Petition for Removal from the Circuit
Court of Cook County to the United States District Court for the Northern District of Illinois,
Eastern Division, pursuant to 28 U.S.C. Section 1446, states as follows:

1. The named parties in this lawsuit, plaintiff DALE D. WHITE of Illinois, defendant JOHN G. PAPPAS of Florida, and VITRACOAT AMERICA, INC. (“VITRACOAT”) of Delaware and Indiana, are citizens of different states as required by 28 U.S.C. Section 1332(a) for complete diversity.
2. Plaintiff initiated this action by filing a complaint in the Circuit Court of Cook County, Illinois, Law Division on August 19, 2021. Attached as Exhibit A.
3. Plaintiff served the complaint on defendant PAPPAS on February 28, 2022.
4. Plaintiff served the registered agent of defendant VITRACOAT on September 8, 2021.
5. Defendant PAPPAS is a resident of Florida, resides at 3653 Periwinkle Way, Naples, Florida, 34114-2538, and was served at this address. See Summons attached as Exhibit B.

6. Defendant VITRACOAT is a Delaware corporation with its principal place of business and headquarters located in Elkhart, Indiana. See Corporate Information attached as Exhibit C.

7. Plaintiff's Complaint prays for relief in excess of \$50,000.00 but does not specify a specific dollar amount. It is expected that the plaintiff is seeking damages in excess of \$75,000.00 as the plaintiff's current total medical costs are \$94,220.10 which excludes expected future medical treatment including the cost for dental implants. See Email Correspondence between Counsel attached as Exhibit D. The plaintiff also alleges that he sustained severe and irreparable injuries to his person and property and suffered both pecuniary losses as well as ongoing injuries to his person. See Exhibit A at ¶ 13.

8. The notice of removal is being filed within thirty (30) days of service.

9. PAPPAS filed his appearance in State Court on March 24, 2022. See Exhibit E.

10. PAPPAS filed his appearance in Federal Court on March 29, 2022.

11. Notice of removal is being sent to all counsel of record as follows:

Mark A. Byrd, P.C., Attorney at Law, 308 W. State Street, Suite 450 Rockford, Illinois 61101, brydlaw@comcast.net

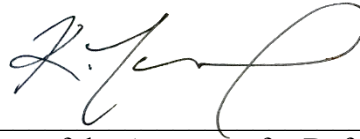
12. Counsel submitting this Petition also represents defendant VITRACOAT and is thereby on notice of the removal.

13. Pursuant to Section 1446(d) a copy of the notice of removal will be filed with the Circuit Court of Cook County in Case Number 2021 L 8366.

14. By filing this notice of removal, PAPPAS does not waive his right to assert any defenses which could have been asserted in the Circuit Court of Cook County.

WHEREFORE, JOHN G. PAPPAS, petitions to remove this litigation from the Circuit Court of Cook County to the United States District Court for the North District of Illinois, Eastern Division and respectfully requests this Court exercise jurisdiction over this action.

Respectfully Submitted,
The Cincinnati Insurance Company Staff Defense



One of the Attorneys for Defendant John G. Pappas

**THE CINCINNATI INSURANCE COMPANY
STAFF DEFENSE**

K. Courtney Gustin
10 S. LaSalle Street, Suite 3310
Chicago, Illinois 60603
312-429-4858 – Phone
312-251-0258 – Fax
Courtney_Gustin@staffdefense.com